

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-02640-CKK**

DEMOCRACY FORWARD FOUNDATION v. U.S.
DEPARTMENT OF TRANSPORTATION et al
Assigned to: Judge Colleen Kollar-Kotelly
Cause: 05:552 Freedom of Information Act

Date Filed: 11/15/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

**DEMOCRACY FORWARD
FOUNDATION**

represented by **Nitin Shah**
DEMOCRACY FORWARD
FOUNDATION
P.O. Box 34553
Washington, DC 20043
(202) 448-9090
Email: nshah@democracyforward.org
ATTORNEY TO BE NOTICED

V.

Defendant

**U.S. DEPARTMENT OF
TRANSPORTATION**

represented by **Diana Viggiano Valdivia**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2545
Email: diana.valdivia@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Joshua L. Rogers
U.S. ATTORNEY'S OFFICE
150 Fayetteville St.
Raleigh, NC 27601
202-856-4465
Email: joshua.rogers3@usdoj.gov
TERMINATED: 02/22/2019

Defendant

**FEDERAL TRANSIT
ADMINISTRATION**

represented by **Diana Viggiano Valdivia**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Joshua L. Rogers
(See above for address)
TERMINATED: 02/22/2019

Date Filed	#	Docket Text
11/15/2018	<u>1</u>	COMPLAINT against DEPARTMENT OF TRANSPORTATION, FEDERAL TRANSIT ADMINISTRATION (Filing fee \$ 400 receipt number 0090-5793415) filed by DEMOCRACY FORWARD FOUNDATION. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Summons, # <u>3</u> Summons, # <u>4</u> Summons, # <u>5</u> Summons, # <u>6</u> Exhibit A, # <u>7</u> Exhibit B, # <u>8</u> Exhibit C)(Shah, Nitin) (Entered: 11/15/2018)

11/15/2018	<u>2</u>	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by DEMOCRACY FORWARD FOUNDATION (Shah, Nitin) (Entered: 11/15/2018)
11/16/2018		Case Assigned to Judge Colleen Kollar-Kotelly. (zsb) (Entered: 11/16/2018)
11/16/2018	<u>3</u>	SUMMONS (4) Issued Electronically as to FEDERAL TRANSIT ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION, U.S. Attorney and U.S. Attorney General (Attachment: # <u>1</u> Notice and Consent)(zsb) (Entered: 11/16/2018)
11/26/2018	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 11/26/2018. (Answer due for ALL FEDERAL DEFENDANTS by 12/26/2018.), RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 11/26/18., RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. FEDERAL TRANSIT ADMINISTRATION served on 11/23/2018; U.S. DEPARTMENT OF TRANSPORTATION served on 11/23/2018 (Attachments: # <u>1</u> Declaration)(Shah, Nitin) (Entered: 11/26/2018)
11/27/2018	<u>5</u>	ORDER ESTABLISHING PROCEDURES FOR CASES ASSIGNED TO JUDGE COLLEEN KOLLAR-KOTELLY. Signed by Judge Colleen Kollar-Kotelly on 11/27/18. (DM) (Entered: 11/27/2018)
12/26/2018	<u>6</u>	MOTION to Stay <i>All Proceedings in Light of Lapse of Appropriations</i> by FEDERAL TRANSIT ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION (Attachments: # <u>1</u> Text of Proposed Order)(Rogers, Joshua) (Entered: 12/26/2018)
12/26/2018	<u>7</u>	ERRATA by FEDERAL TRANSIT ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION. (Rogers, Joshua) (Entered: 12/26/2018)
12/27/2018		MINUTE ORDERS: The Court has received Defendant U.S. Department of Transportation's <u>6</u> Motion for a Stay of All Proceedings in Light of a Lapse of Appropriations, and <u>7</u> Errata thereto. With Plaintiff's consent, and in an exercise of the Court's discretion, the Court shall GRANT Defendant's <u>6</u> Motion <i>nunc pro tunc</i> . The Court shall STAY <i>nunc pro tunc</i> the deadline for Defendant's answer or other response to the <u>1</u> Complaint that was otherwise due by December 26, 2018. A total of five calendar days, two of which were business days, elapsed between the lapse in funding and the deadline for Defendant's answer or other response. Accordingly, the Court shall permit Defendant three business days to file its answer or other response upon the restoration of the U.S. Department of Justice's funding and the resumption of its operations. Signed by Judge Colleen Kollar-Kotelly on December 27, 2018. (lcckk1) (Entered: 12/27/2018)
01/30/2019	<u>8</u>	ANSWER to Complaint by FEDERAL TRANSIT ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION.(Rogers, Joshua) (Entered: 01/30/2019)
02/01/2019		MINUTE ORDER: In light of the restoration of government funding, the Court shall LIFT the stay in this matter. The Court has received Defendants' <u>8</u> Answer to Complaint for Injunctive Relief. The Court shall instruct the parties as to further proceedings in the accompanying Order. Signed by Judge Colleen Kollar-Kotelly on February 1, 2019. (lcckk1) (Entered: 02/01/2019)
02/01/2019	<u>9</u>	ORDER. The parties shall file the schedule not later than MARCH 4, 2019 . Signed by Judge Colleen Kollar-Kotelly on February 1, 2019. (lcckk1) (Entered: 02/01/2019)
02/22/2019	<u>10</u>	NOTICE OF SUBSTITUTION OF COUNSEL by Diana Viggiano Valdivia on behalf of All Defendants (Valdivia, Diana) (Entered: 02/22/2019)
03/04/2019	<u>11</u>	Joint STATUS REPORT by FEDERAL TRANSIT ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION. (Valdivia, Diana) (Entered: 03/04/2019)
03/05/2019		MINUTE ORDER: The Court has received the parties' <u>11</u> Joint Status Report, which indicates that the parties have agreed to a schedule for monthly processing and production and will confer further as needed to narrow the searches. Accordingly, the Court shall adopt the parties' proposal that they file a further Joint Status Report with the Court by JUNE 3, 2019 , regarding the parties' progress. The parties shall file a

		further Joint Status Report no later than every sixty days thereafter, unless and until the Court orders otherwise. Signed by Judge Colleen Kollar-Kotelly on March 5, 2019. (lcckk1) (Entered: 03/05/2019)
03/05/2019		Set/Reset Deadlines: Joint Status Report due by 6/3/2019, regarding the parties' progress. (dot) (Entered: 03/05/2019)
06/03/2019	<u>12</u>	Joint STATUS REPORT by FEDERAL TRANSIT ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION. (Valdivia, Diana) (Entered: 06/03/2019)
08/02/2019	<u>13</u>	Joint STATUS REPORT by FEDERAL TRANSIT ADMINISTRATION, U.S. DEPARTMENT OF TRANSPORTATION. (Valdivia, Diana) (Entered: 08/02/2019)
10/01/2019	<u>14</u>	Joint STATUS REPORT by DEMOCRACY FORWARD FOUNDATION. (Shah, Nitin) (Entered: 10/01/2019)
12/02/2019	<u>15</u>	STIPULATION of Dismissal by DEMOCRACY FORWARD FOUNDATION. (Shah, Nitin) (Entered: 12/02/2019)